

**UNITED STATES DISTRICT COURT  
THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN RE: DAVOL, INC./C.R. BARD,  
INC., POLYPROPYLENE HERNIA  
MESH PRODUCTS LIABILITY  
LITIGATION**

**Case No. 2:18-md-2846**

**Judge Edmund A. Sargus, Jr.  
Magistrate Judge Kimberly A. Jolson**

**This document relates to:  
*Blackwood v. Davol, Inc., et al.*  
Case No. 2:21-cv-5138**

**ORDER**

This matter is before the Court on Plaintiff's unopposed Motion to Substitute Party. (ECF No. 4.) Rule 25 provides that, "[i]f a party dies and the claim is not extinguished, the court may order substitution of the proper party." Fed. R. Civ. P. 25(a)(1). "A motion for substitution may be made by any party or by the decedent's successor or representative." *Id.*

Following Plaintiff's death, LeeAnne Blackwood was made the executor of his estate and, "[o]ther than some specific personal property bequests that are not relevant here, LeeAnne Blackwood is the sole heir to [Plaintiff]'s estate." (ECF No. 4-1; ECF No. 4 at PageID #14.) In admitting Plaintiff's will to probate as muniment of title, the Probate Court found that "[a]n administration of the estate [wa]s unnecessary." (ECF No. 4-2.) Plaintiff now moves for the substitution of LeeAnne Blackwood as the proper plaintiff. (ECF No. 4; *see* Tex. R. Civ. P. 151 ("If the plaintiff dies, the heirs, or the administrator or executor of such decedent may appear and upon suggestion of such death being entered of record in open court, may be made plaintiff, and the suit shall proceed in his or their name.").)

Plaintiff's unopposed Motion to Substitute is **GRANTED**. The Clerk is directed to substitute LeeAnne Blackwood as Plaintiff in place of Billy Blackwood.

**IT IS SO ORDERED.**

**1/12/2024**  
**DATE**

**s/Edmund A. Sargus, Jr.**  
**EDMUND A. SARGUS, JR.**  
**UNITED STATES DISTRICT JUDGE**